

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

JAMIE LEE BLEDSOE, #1008097 §
VS. § CIVIL ACTION NO. 2:08cv241
MARSHALL CITY POLICE DEPT., ET AL. §

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Jamie Lee Bledsoe, formerly confined in the Duncan Unit of the Texas prison system, and proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge Charles Everingham IV, who issued a Report and Recommendation recommending that Defendant Sergeant Larry Smith's motion for summary judgement be granted and the claims against him be dismissed with prejudice.

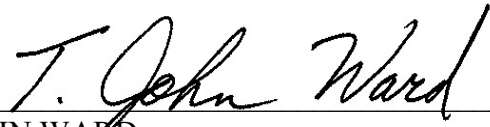
Plaintiff was granted substantial additional time in which to file any objections he had against the Report and Recommendation. Ultimately, he filed a brief objection in which he vaguely contends that "[t]he [Report and Recommendation] was based upon numerous [*sic*] extraneous offense [*sic*]." Objections at 1. He does not explain what these "offense[s]" are nor why they allegedly impacted the Magistrate Judge's recommendation. He also cited a number of Texas state cases and procedural rules, none of which has any relevance to this federal proceeding. He has not addressed the basis for the Magistrate Judge's recommendation, nor has he raised a genuine dispute as to any material fact. Fed. R. Civ. P. 56(a).

The Report of the Magistrate Judge, which contains his proposed findings of fact and

recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Plaintiff to the Report, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and that the objections of Plaintiff are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that pursuant to Federal Rule of Civil Procedure 56, the claims against Defendant Sergeant Larry Smith are **DISMISSED** with prejudice.

SIGNED this 17th day of May, 2011.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE